

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6653

BILL NUMBER: HB 1101

NOTE PREPARED: Dec 22, 2008

BILL AMENDED:

SUBJECT: Arrests for Violations of Motor Vehicle Laws.

FIRST AUTHOR: Rep. Tincher

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill repeals the law that prohibits a law enforcement officer from arresting or issuing a traffic information and summons to a person for a violation of a law regulating the use and operation of a motor vehicle unless at the time of the arrest the officer is: (1) wearing a distinctive uniform and a badge of authority; or (2) operating a motor vehicle that is clearly marked as a police vehicle; that will clearly show the officer or the officer's vehicle to casual observations to be an officer or a police vehicle.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Summary-* If police are able to make more arrests, more people may be convicted for violations of motor vehicle laws. Most violations of the motor vehicle laws result in Class C infractions, while violations concerning driving while intoxicated are Class C or Class A misdemeanors. The penalties for repeat or more serious results include felony offenses. If more offenders are convicted of offenses who would otherwise have not been subject to arrest because the officer was not in uniform or operating a marked police vehicle, the following increases may occur:

- Incarceration costs for state and local units for felony or misdemeanor offenders, respectively.
- The amount of fine revenue from judgements deposited in the state General Fund.
- The amount of fine revenue from criminal penalties deposited in the Common School Fund.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Trial courts; Local law enforcement agencies.

Information Sources:

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